Federal Communications Commission
GN Docket No. 25-133
Comment in Response to Public Notice DA 25-219

Dear Commissioners,

I am writing in response to **Executive Order 14192** and the FCC's **GN Docket No. 25-133**, which seeks public input on rules that impose unnecessary burdens on businesses and hinder technological progress. I urge the FCC to reform—or eliminate—the current **Telephone Consumer Protection Act (TCPA) regulations**, as they have become **economically destructive, technologically outdated, and constitutionally problematic**.

The **TCPA**, enacted in 1991 to address spam faxing, no longer serves its intended purpose. Instead, it now **enables a class of professional plaintiffs and opportunistic attorneys** to exploit small businesses. Individuals like **Robert Doane of Massachusetts** engage in **systematic litigation abuse**, purchasing multiple phone numbers and intentionally soliciting calls to create fraudulent TCPA claims. These practices are discussed openly on **criminal conspiracy platforms like the Robocalls Forum**, where participants share tactics and brag about their settlements. This scheme is not only **unethical** but, in many cases, constitutes **racketeering and extortion under RICO statutes**.

The **excessive penalties imposed by the TCPA**—up to $1,500 per call—are **disproportionate and unconstitutional**, violating the **8th Amendment's ban on excessive fines**, the **5th Amendment's guarantee of due process**, and the **14th Amendment's Equal Protection Clause**. Meanwhile, the **vague and outdated language of the TCPA** results in lawful business communications being criminalized, **chilling First Amendment-protected commercial speech** (*Central Hudson Gas & Electric Corp. v. PSC*). In today's digital marketplace, these regulations create an **unjust barrier to entry** for small businesses already struggling in the wake of COVID-19.

The **cost-benefit imbalance** is clear: TCPA regulations no longer protect consumers effectively, but instead impose **crippling costs on legitimate businesses**. Furthermore, **accessing federal Do Not Call lists requires companies to pay tens of thousands of dollars**, leaving many small businesses unable to comply with regulations that are allegedly there to protect consumers. In practice, the **current TCPA framework discourages entrepreneurship**, **stifles innovation**, and **creates an unfair playing field** favoring large corporations with the resources to navigate this outdated system.

Given the **FCC's statutory duty under 47 U.S.C. §§ 151, 157(a), 160(b), and 163**, and the **mandate of Executive Order 14192**, the Commission should take immediate action to

modernize or repeal these harmful regulations. The TCPA's original purpose has been lost; it now serves as a weapon for fraud, not a shield for consumers.

I respectfully request the FCC to **review the devastating economic impact**, **constitutional concerns**, and **technological irrelevance** of the TCPA as it currently stands. I am happy to provide additional evidence of this abuse and the networks supporting it.

Sincerely,
Jacquelyn Levine
Bradenton, FL